



ARTICLES OF MILITARIE DISCIPLINE.

I. **T**HAT in everie Regiment *Ecclesiastical Discipline.*
under a *Collonell*, there
bee an ecclesiasticall El-
dership or Kirke Session,
consisting of the Minister
or Ministers of the Regi-
ment, and of Elders to
be chosen to that effect;
who shall sit at their ap-

pointed times, and judge in all Kirke affaires, according to the word of GOD, and the rules and order of Discipline used in the Kirke of SCOTLAND for censuring of delinquents, as fornicatours, whooremongers, adulterers, swearers, cursers, drunkards, profaners of the Sabbath, and all scandalous persons, that they may be brought to repentance: or being found obstinat and incorrigible, that the extreame censures of the Kirke passe against them. And that all things bee done herein, as in every parosh in the time of peace. Also, that tender care may be had of the poore and needie, and of all such as are not able, or may be disabled to helpe themselves. There bee some Deacons appointed in everie Re-

giment according to the order used in particular parishes and that in matter of greatest weight, there be a generall Eldership, or common ecclesiastick judicatorie, made up of all the Ministers of the Camp, and of an Elder direct from every particular Regiment, who shall choose their own Moderatour and Clerk, have power to set down order in matters ecclesiasticall for the whole Armie: that there may bee an uniformitie of worship and of Discipline. To whom appellation may bee made from the inferiour Sessions and elderships.

*The Courts
of justice.*

II. It is ordained also for deciding of all controversies, and that the following articles of war and camp Discipline may be the better observed and obeyed. That there be in the Armie two courts of justice: one higher and another lower court: In every Regiment there shall be a lower court, where the *Collonell* shall be president, and in his absence his Leive-tenant, with them are two Captains to bee joyned, two Leive-tenants, two Ensignes, foure Serjants, and two Quartermasters, that together with the President they may be to the number of thirteene at least.

In the high martiall court shall the generall bee President, and in his absence the field Marschall, his associats shall be the Generall of the ordinance, Sergeant-major Generall, Generall of the horses, Quartermaster Generall, Muster Masters, and all the Colonels, or their Leive-tenants in their absence, all these shall sit together every man in his owne place and ranke, whensoever there is any matter of great importance in controversie both in the higher Court and lower, there shall be one sworne Secretarie or Clerke appointed, who shall not only make note of the pro-
cesse

cesse and sentences, but shall also make diligent record of all notable things that fall out in the armie, whither in any pitched battell, skirmish, leaguer, or any other piece of service whatsoever, with all the circumstances of time, place, or persons; he shall also set his hand to all sentences signed by the Generall, and keep a true register of all interprises, that the Generall with his counsell of war, shall give order to be done. It shall be lawfull also in all civill and criminall actions of great importance, to make appellation from the lower to the higher Court: The sentence of the court shall bee publickly read in the hearing of all men, but not put in execution, till the Generall give command. No superiour officer, Collonell, or Captaine, shall sollicite for any man, that is lawfully convicted by the Court, either for any cryme, or for not observing the articles of warre, unlesse it bee for his very neare kinsman for whom nature compelleth him to interceed; otherwise, the soliciter shall bee holden as odious as the Delinquent, at least shalbe cashiered from his charge. The foresaid judicatories as wel of the Kirk matters, as of war, shalbe subject to the counsell of estate, and generall Assemblies *respectivè*.

III. All the Iudges both of the higher and lower Court shall solemnly swear before God this following oath:

I N. N. Do here promise before God, that I both will and shall judge uprightly, in all things that shall be presented before the Court, according to the law of God, the laws of the Kingdome of Scotland, and the articles of warre agreed upon, so farre as I have knowledge or understanding, neither will I for favour or hatred, for good will or evil will, for fear, for revenge, or for any gift or
bribe,

*The oath of
the Iudges.*

bribe whatsoever, judge wrongously, but judge him free that ought to be free and doome him guiltie that I finde guiltie, as the great God the Lord of heaven and earth shall helpe me, and be my judge at the great day.

III. All the officers and Souldiers that shall be admitted, shal with lifted up hands in all reverence swear this following oath.

The oath of
the officers
and souldiers.

I N. N. do here promise and swear, that unto the kingdome of Scotland I will be a faithfull servant according to the Covenant, and unto the Generall of the armie I will be a true and faithfull Souldier, everie manner of way doing my best endeavours for the good of the Kingdome, and obedience of the Generall: to my power, also, shall I hinder all actions prejudiciall to the Kirk and Kingdome; and if I have tidings of anything of that kinde I shall give notice thereof to some one or other of the counsell of war. Moreover, I will doe my best to observe carefully all the Articles of warre, and points of camp Discipline: I shall behave my selfe manfully in battell, skirmishes, and every piece of service in all times and places, when and where I shall be commanded: I shall keep watch and ward, and do all other dueties willingly, as I shall bee directed: I shall carrie my selfe obediently toward my superiour officers, in all that they command me for the service of the Kirke and Kingdome: In like maner, as I shall answer before God, and every honest man, I shall not flee from my Collours, or token whatsoever that I am commanded to follow, nor absent my self from them at any time, so long as I am able to go after them: I shall bestow my life & goods for advancing of this service of the Kingdome, and to the uttermost of my power endure all distresses, that can possibly fall out in the warres, fighting manfully to the very last, so farre forth as I am able, or that any true souldier ought to doe:

Further.

Furthermore, if hereafter I be put into any place or charge by the Generall, or called to anie imployment, I shall doe my best endeavour, valiantly and honestly to acquite my self according to my place. This oath shall I well and truly keep, as the great God, the Lord of heaven and earth shall helpe me at the last judgement.

V. For doing of service and worship to God Almightye, the Lord of hosts, for whose Covenant this war is undertaken, from whom we look for assistance, and on whom the successe of warre depends; it is thought necessary that there be publick prayers, every day morning and evening throughout the whole Leaguer, for which purpose, some token or warning shall bee given by sound of trumpet or drum. That on the Lords day there bee publick preaching, both before and afternoone, and if the time permit, two dayes in the week also. If any Minister shall neglect his time of prayer, or preaching, he shall for every absence forfait an halfe months pay, or as much as may be accounted an halfe months pay, to be taken up by the Deacons, & at the direction of the Eldership to be distributed to the poore. And whatsoever souldier shall neglect the time of prayer or preaching, shall forfait a dayes wage for every absence, and if after admonition by his Captaine he shall bee found guiltie of neglect or contempt, hee shall ly in prison for the space of twentie foure houres, and be further punished, as his fault deserveth.

VI. There shall bee no mercat nor selling of commodities whatsoever, after the warning is given for divine service, till it be closed: and if any shall happen to contraveine, they shall make forfait of all things so sold, whereof the one halfe shall be disposed upon by

*Prayers
and preaching.*

*No mercat
in time of
divine service.*

by the Generall, or such as shall be appointed by him, and the other halfto be given to the Deacons for the use of the poore. Over and above which the offender shall for one whole day be put in prison.

VII. All Officers and Souldiers shall be obedient unto the Generall and field-marshal with other officers next under them, in whatsoever they shall command upon the paines following.

Whosoever behaveth not himself reverently and obediently unto the Generall of the Armie, shall be kept in yrons or prison, till he be brought to answer before a council of war, where being found guilty, whatsoever his qualitie be, hee shall stand to the order of the councill, to underly what punishment they shall thinke convenient according to his merite.

Whosoever shall offer to discredit these great officers by word of mouth, or otherwise, and be not able by prooffe to make it good; and whosoever shall lift up any manner of armes against any of them, whither he doe them hurt or not, shall be punished by death. And if any officer do strick any of them with his hand, whither he hit or misse, he shall losse his right hand.

If it shall hapen that the Generall, or any of the great and generall officers at any occasion shall offer injurie to any noble man, knight, gentleman, or other which standeth not with their honour to put up, Then shall they give in their complaint to the Council of war, where the offender shall answer, and bee censured according to the qualitie and importance of the fault.

If any Souldier or inferior officer serving on horse or foot, shall offer any injurie by word, or deed, to his Collonell, Leiveenant Collonell, Sergeant major, Quarter-master, Captain or any of his superiors,
or

or shall refuse any dewty commanded him, he shall be punished according to the importance of his fault, and if it shall happen that any officer shall command any thing which tendeth rather to the prejudice nor to the good of the publick, then shall he who is commanded modestly refuse to obey and presently give notice thereof.

If any inferiour officer shal challenge any common Souldier to be guilty of any dishonest action, he shall answer for it before the court as if he were his equall.

If any Souldier horse or foot, shall offer to strike his officer that commands him any dewty or piece of service, he shal lose his hand and be turned out of the quarter, and if it be done in any fort or beleaguered place after the watch is set, he shal lose his life for it; but if he not only offer but do hurt to any of them, whether in the field, or not he shall be shot to death.

Whosoever in the presence of the Generall shall draw his sword to do mischief with it, shall lose his hand; He who shal in anger draw his sword, while his Colloures are fleeing, either in batell or in march, shall be shot to death: He who shall presume to draw his sword in any court of justice, shall lose his life: He that draws his sword in any strength or fort to do mischief therewith after the watch is set, shal lose his life.

VIII. The Provest-marshall-general may apprehend any man by his own authority & keep him in irons or in prison, but by no means may do execution upon him although he be sentenced by the court of war, without first giving notice thereof to the Generall and obtaining warrand for that effect.

*Obedience
to the
marshalls.*

The same is to be understood of the Provest-marshals of every regiment and companie: And if anie shall be found to hinder the Provest marshals when

B

they

they are to apprehend any man or when they are about to execute any thing that becomes them, they shall not escape unpunished in the martiall court.

*Punishment
of swearers,
drunkards,
&c.*

IX Common & ordinarie profainers of the sabbath, swearers and drunkards, especially such as shall be found drinking in time of prayers or divine service, shall not only be punished in their means, but shall also make their publick repentance in the midst of the congregation, and if they cannot be reclaimed, they shall be cashiered and discharged as unworthy to do service in any place of the armie.

*Duells and
combats
forbiden.*

X No duell or combate shall be permitted to be foughten; If any man offer wrong to another, it shall bee decided by the officers of the regiment, the challenger shall answer it before the Martiall court. And if any Captaine, Leivtenant or other inferiour officer shall give leave or permission unto any under their command to enter combate, and doth not rather hinder them, he shall be presently cashiered from his charge and serve afterward as a common Souldiour: but if any harme be done he shall answer it as deeply as he that did it.

*No forcing
of women,
nor suffering
of
whoeres.*

XI He that forceth any woman and the matter be proved, he shall die for it.

No whoore shall be suffered in the leaguer, but if any will have his own wife with him, he may.

If any man keep an unmarried woman, he shall either marrie her or be constrained to put her away, and make his repentance for his fault.

*Of muster-
ing.*

XII All Souldiers shall dewly repaire unto the generall musters upon the day and houre appointed, nor shall any Colonell or Captaine of horse or foot keep back his Souldiers from being mustered at the time when the muster masters shall desire to view them, if
any

any refuse, he shall be holden for a mutiner.

No Colonell or Captaine shall lend any of their Souldiers unto another upon the musterdays for the making up of their numbers compleat: he that thus makes a false muster, shall answer it at a martiall court, where being found guilty he shall be proclaimed a deceiver, after which being put out of the quarter his Colours shall see no more.

If any horsman borrowes either horse, armour, pistols, sadle, sword or harnise to passe the muster withall, so much as is borrowed shall be eschited, and both himself and he that lent it him, shall be turned out of the leaguer, the one half of the armes forfaulted shall go unto the Captaine, and the other half unto the Perforce.

XIII. When any march is to be made, every man that *Of march-*
is sworn shall follow his colours, whosoever presumes *ing.*
without leave to stay behinde, shall be punished.

If any upon mutinie be found to do it, be they many or be they few, they shall die for it.

Every man is to keep his own rank and file upon the march, and not to put others from their ordour, nor shall any man cast himself behinde, or set himself upon any wagon or horseback: The offenders to be punished according to the time and place.

XIV. He that after warning is given by sound of *Of watch-*
Drum or Trumpet for setting of the watch, doth wil- *ing.*
fully absent himself without some lawfull excuse, shall be disgraced and be put to bread and water, or some such punishment as the matter is of importance.

He that is taken sleeping upon the watch to the indangering of the armie, shall be shot to death.

In like sort shall he be punished who drinks him-

self drunk upon his watch or place of sentinell that he cannot do his dewty, or that cometh off his watch where he is commanded to keep his guaird.

*Of unlawfull
full retire-
ing.*

XV. Whatsoever regiment shall once charge the enemy, and then retire afterward from them before they come to dint of sword, shall answer it before the high martiall court: and if this be occasioned by any officer, he shall be publickly disgraced, and turned out of the leaguer: If the fault shall be found to be in the Souldiers, then shall every tenth man be hanged and the rest condemned to carry all the filth out of the leaguer, till by some exploit they procure their pardon and recover their reputation; provided alwaies, if at the first any man can by the testimony of sufficient witnesses prove himself not guilty of the cowardice, he shall go free.

If any occasion be to enter any strength or sconce by assault or breach, he who retire from the place before he hath been at handy blows with the enemy & hath used his sword so far as it is possible for him to do service with it and before he be by maine strength beaten off by the enemy, shall be so punished as the court shall finde him to have deserved.

*Of fleeing
and cowardice.*

XVI. Whosoever runs from his Collours and doeth not defend them to the uttermost of his power so long as they be in danger, shall suffer death for it.

When any occasion of service is, he that first runs away, if any man kill him he shall be free, and if at that time he escape and be apprehended afterward, he shall be proclaimed traitour & put out of the quarter.

Whatsoever ensigne-bearer shall flee out of any place of Battrie, sconce or redoubt before he hath incurred three assaults and receives no relieif, shall be in like manner punished, providing alwayes the place be defenceable.

IF

If any regiment, troupe or companie shall flee out of the field or battell, they shall answer for it before the high court, and if there it can be proved to have broken their oath, they shall be proclaimed traitours.

XVII. Whatsoever regiment, troupe or companie shall be found to treat with the enemy or to enter in any conditions with them, without knowledge and leave of the Generall or chief commander in his absence, the officer shall be put to death for it and all his goods confiscated; of the Souldiers every tenth man shall be hanged and the rest punished as is aforesaid.

*Of treating
with the enemy.*

But if any that then were in companie of such can free themselves from being partakers of the crime and can prove that they did their best to resist it, then shall they be rewarded according to their truth and faithfulness.

Whosoever gives advice unto the enemy any manner of way or keeps any discourse with him without leave of the Generall, or giveth unto him any private intelligence by letters or otherwaies or makes any signe unto him for his advantage shall die for it.

XVIII. They that give over any strength to the enemy, unlesse it be for extremity of hunger or want of amunition, the governour with all the officers shall die for it: All the Souldiers be lodged without the quarter and be made to carry all the filth out of the leaguer, till by some new proof of their worth they blot away the former cowardice.

*Of giving
up of
strengths.*

XIX. If any numbers of Souldiers shall without leave of their Captaine assemble together for taking mutinous counsell amongst themselves, so many inferior officers as be in company with them shall suffer death, and the Souldiers be so punished, as they that give up any strength: And whatsoever Captaine shall permit

Of mutinie.

unto

unto his Souldiers to hold any such meetings amongst themselves, shall answer it before the high court of justice.

If any shall fall in quarrelling, and fighting and shall call for help of his friends or familiars with intention to be revenged or to defend himself, he shall suffer death for it, and they that come to help him shall be punished like mutiners.

He also shall be reckned for a mutiner who shall not be content with that quarter or place that shall be assigned him, whither in a town or in the leaguer.

*The keeping
of armes.*

XX Whosoever casts his arms from him either in the field or other where, shall be scourged through the quarter & disgraced as before, til he redeem his credit.

He that fels or enpawnes his armes or any kinde of amunition, or any spades, shoos, picks, & other the like necessary instruments used in the field, shall be for the first and second time beaten through the quarter, and for the third time, punished as for other thift: He also that buyes or taks them upon pawne, be he Souldier or be he victualer, he shall both loose his money and be punished as he that sold them.

He that wilfully breaks any of his armes or instruments afore said, shall not only pay for the mending of them, but shall be put to bread and water, and shall be punished otherwise at the discretion of the court.

*Against
fire.*

XXI. No man shall presume to set on fire any town or village in the land or camp, if any doeth he shall be punished according as the judges shall finde the matter important.

XXII. Billets and lodgings in every place must be directed by the quarter-master or quarter-master generall; No commander or common Souldier shall exact or extort any thing besides what is appointed.

All

All must deal courteously with their hoste and his household servants: He that beats any of them, for the first and second fault he shall be put in irones and made to fast with bread and water, but if he do any of them greater hurt he shall be punished at the discretion of the court.

None shall presume to do wrong to any that bring necessities unto the leaguer, whither by taking their goods or by taking away their horses; which who so doeth shall be severely punished.

They that pillage or steal any thing, whither from them that furnish the leaguer or from uther subjects of the kingdome, whither Covenanters or not Covenanters, they shall be punished as for other thift.

XXIII. If it so please God that we beat the enemy either in the field or in the leaguer, no man shall fall upon the pillage till the enemy be utterly put to the rout; which done, every man may fall upon his own quarter and rest contented with it, without plundering of others: If any man shall fall upon the pillage before the time, and any evill to the armie shall ensue upon their greedinesse after the spoile, then shall all of them suffer death for it, and although no damage come thereby, yet must they be punished as their fault deserveth.

*Of the spoil
and pillage.*

When any fort or place of strength is taken in, no man shall fall upon the spoile before the enemy be beaten out of all his holds and the quarters be dealt out and assigned.

If any be found drunk in the enemies leaguer before he hath forsaken the same and laid down his armes, he shall be severely punished according to the damage done by his drunkenesse, and although there be no damage, yet shall he be punished for his drunkenesse

drunkenness, especially at such a time.

Of pay.

XXIV. No Captaine shall withhold any off his Souldiers meanes from him, which if he do, he shall be censured in the court of justice; And if any such evil follow thereupon, as that the Souldiers mutine, be sicke, endure hunger, or give up any strength, then shall he be answerable for all these inconveniences.

If any Captaine lend money unto his Souldiers which he will have payed again, let it be repayed in parcels as the Souldier may spare it, that the commo service be no wayes hindered or neglected thereby.

If upon necessity it come to passe, pay be not made at the due time, yet shall every man be forward in his service all having victuals for the present & certaine expectation of the meanes so soon as may be.

No Captaine shall presume to go out of his station to demand his pay without leave of the Generall, providing he be intertained: who so doth shall be cashiered from his place.

Of passe.

XXV. No Colonell or Captaine shall give leave to his Souldiers to go home out of the field, without leave of the Generall or chiefcommander, under the paine of the loose of three Monethes pay, and to answer it before the court.

No Souldier shall desire his passe, whilest there is any present service to be done against the enemy.

If any Souldier desire to be discharged from the wars because he is sick, or maimed, or upon any such reasonable cause, he shall be discharged by warrand from the Generall.

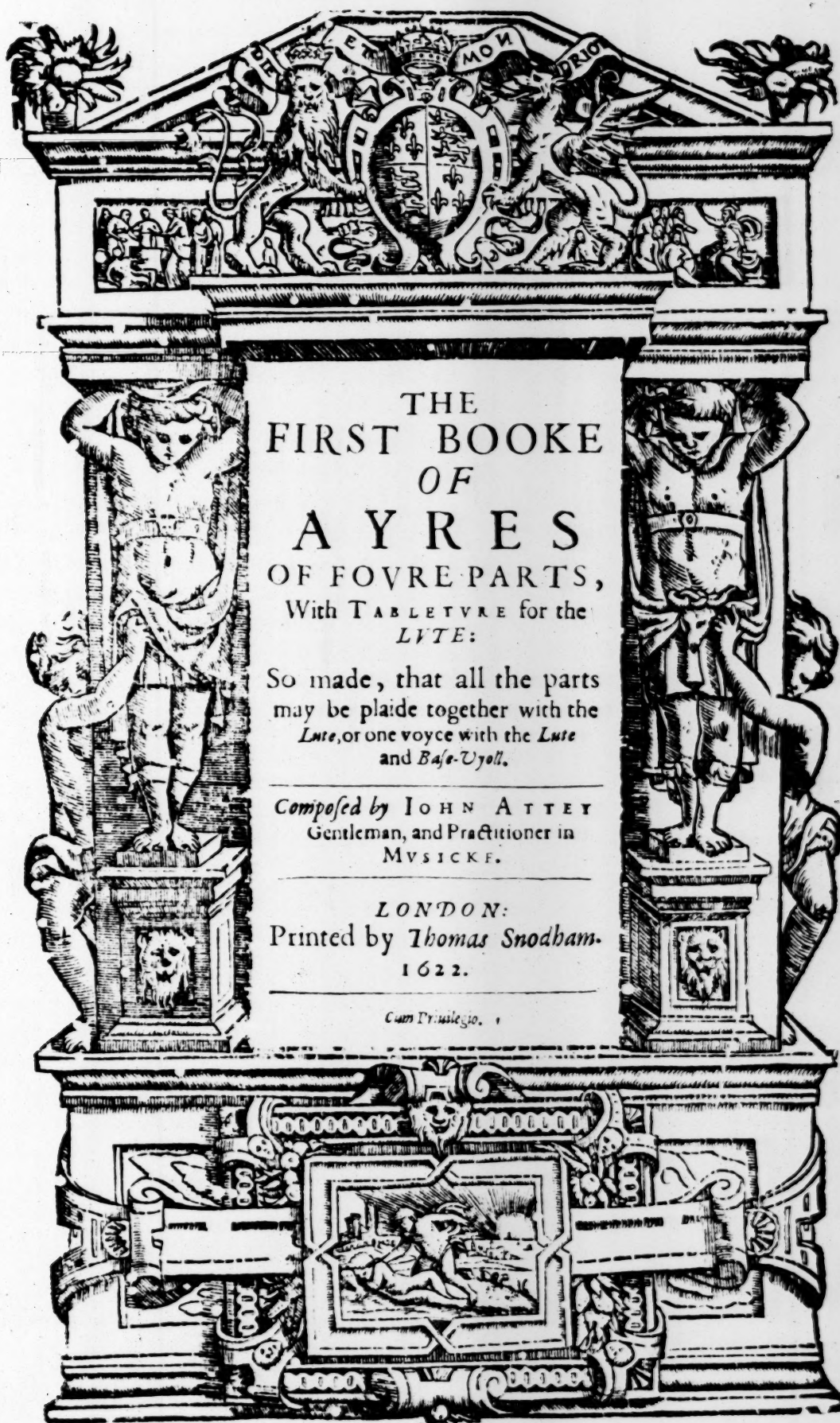
If any Souldier shal run away from his Colours, without a passe of his officers, he shall be apprehended where ever he can be found and punished according to the articles foresaid.

F I N I S.

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